

# **Exhibit 4**

**VIDEO TELECONFERENCE DEPOSITION  
HANNAH E. WHELAN**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SIERRA BOUCHER, LILY ENGEBRECHT,  
NATASSIA TUHOVAK, HANNAH WHELAN, and  
CASSIDY WOOD,

Plaintiffs,

- against - Case No.  
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.  
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Video teleconference deposition of **HANNAH E. WHELAN**, Plaintiff, present at HODGSON RUSS LLP, The Guaranty Building, 140 Pearl Street, Suite 100, Buffalo, New York, taken pursuant to the Federal Rules of Civil Procedure, connecting to various locations on September 17, 2024, commencing at 9:39 a.m., before ANDREA J. DEMYAN, Notary Public.

1 APPEARANCES: LAW OFFICE OF DANIELA NANAU, P.C.,  
2 By DANIELA NANAU, ESQ.,  
3 89-03 Rutledge Avenue,  
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7 Appearing for the Plaintiffs,  
8 via Zoom.

9 HODGSON RUSS LLP,  
10 By THOMAS S. D'ANTONIO, ESQ.,  
11 1800 Bausch & Lomb Place,  
12 Rochester, New York 14604,  
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15 Appearing for the Defendant,  
16 via Zoom.

17 (STIPULATIONS: Waive filing and signing of  
18 the transcript, waive Oath of the Referee,  
19 reserve all objections until trial, with  
20 exception of objections as to form.)  
21  
22  
23

09:39:47

**Hannah E. Whelan - Mr. D'Antonio - 09/17/2024**

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09:50:26 1           **A.**     Yes.

09:50:26 2           **Q.**     Okay.   What was your major?

09:50:31 3           **A.**     My major was ABEC, Animal Behavior,  
09:50:38 4 Ecology and Conservation.   I was a dual major as  
09:50:40 5 well in environmental studies.

09:50:44 6           **Q.**     And environmental studies, was that its  
09:50:47 7 own department or was that part of another  
09:50:49 8 department?

09:50:49 9           **A.**     It was its own department.

09:50:51 10          **Q.**     Okay.   And did you have any minors that  
09:50:54 11 you took?

09:50:54 12          **A.**     I was an English minor.

09:50:56 13          **Q.**     If you remember, what your GPA was when  
09:51:08 14 you graduated?

09:51:09 15          **A.**     I believe it was 3.9.

09:51:13 16          **Q.**     Did you receive any academic honors or  
09:51:24 17 awards?

09:51:24 18          **A.**     Yes, I received the Rachel Carson  
09:51:28 19 Award.

09:51:30 20          **Q.**     And what is that?

09:51:31 21          **A.**     That's an award given out by the  
09:51:32 22 environmental studies department, someone who just  
09:51:36 23 shows outstanding achievement.

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14:12:51 1 **BY MR. D'ANTONIO:**

14:12:51 2 **Q.** Ms. Whelan, I asked you about whether  
14:12:54 3 you spoke with anyone at Canisius about any of the  
14:13:00 4 activities or actions on the Project Wolf trip that  
14:13:03 5 you found concerning.

14:13:06 6 Did you -- did you tell your parents at any  
14:13:11 7 point prior to January of 2019 about any of those  
14:13:16 8 activities or actions or your concerns?

14:13:19 9 And those would be the stretching of the  
14:13:20 10 knee, the -- the night hike discussion, the  
14:13:26 11 appendicitis issue with [REDACTED] and the end  
14:13:30 12 of the day gatherings.

14:13:32 13 **A.** No, I never expressed to my parents any  
14:13:36 14 concerns regarding Dr. Noonan. Only how much I  
14:13:39 15 admired him because, again, it speaks to just  
14:13:44 16 the -- the relationship I had with him at the time  
14:13:48 17 was one in which I was being manipulated and very  
14:13:52 18 confused.

14:13:53 19 **Q.** Okay. So the answer is no?

14:13:55 20 **A.** Correct.

14:13:55 21 **Q.** All right. Did you have an academic  
14:14:04 22 advisor at Canisius?

14:14:06 23 **A.** Yes.

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14:14:08 1 Q. Okay. Was that assigned to you or did  
14:14:10 2 you choose?

14:14:11 3 A. It was assigned.

14:14:12 4 Q. Okay. Do you remember who your  
14:14:14 5 academic advisor was at Canisius?

14:14:17 6 A. So I had two for each department.

14:14:19 7 Q. Because you had one in each department  
14:14:21 8 that you were a major in?

14:14:22 9 A. Mm-hmm.

14:14:23 10 Q. Okay. Which -- who were the two?

14:14:24 11 A. Dr. Russell.

14:14:24 12 Q. Joshua Russell?

14:14:25 13 A. Yes.

14:14:25 14 Q. And that's in ABEC?

14:14:27 15 A. Correct.

14:14:27 16 Q. And then how about in environmental  
14:14:28 17 studies?

14:14:28 18 A. Dr. Erin Robinson.

14:14:31 19 Q. E-R-I-N?

14:14:33 20 A. Yes.

14:14:33 21 Q. Or Aaron?

14:14:34 22 A. Yes, E-R-I-N.

14:14:36 23 Q. E-R-I-N? Okay. There came a time when

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14:37:28 1 **BY MR. D'ANTONIO:**

14:37:29 2 **Q.** Yes. Yeah.

14:37:30 3 **A.** You mean like when we reported to Title  
14:37:33 4 IX?

14:37:33 5 **Q.** Yeah.

14:37:34 6 **A.** No.

14:37:34 7 **Q.** Okay. So -- well, let's do it this  
14:37:41 8 way. When you were on the trip, did you reach out  
14:37:47 9 to anyone at Canisius?

14:37:50 10 **A.** No, I was very fearful of doing that.

14:37:54 11 I was alone with him, there were no other  
14:37:56 12 chaperones. So we did actually come together as a  
14:37:59 13 group and consider that option.

14:38:00 14 We had a computer where we had access to the  
14:38:03 15 internet to communicate with Canisius, but we all  
14:38:05 16 agreed that it was too risky. We didn't know how  
14:38:10 17 Canisius would handle that.

14:38:11 18 We didn't know if -- again, we just -- we  
14:38:13 19 didn't know how things would unfold, there was a  
14:38:16 20 lot of uncertainty. So we considered it.

14:38:19 21 We honestly wanted to, but we felt like it  
14:38:23 22 was in our best -- it was our best to protect each  
14:38:28 23 other at that point and then decide what to do once

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14:38:32 1 we got home.

14:38:33 2 Q. And how many students were on the trip?

14:38:34 3 A. Eight.

14:38:35 4 Q. Okay.

14:38:35 5 A. All women.

14:38:36 6 Q. Was that a group decision that was  
14:38:38 7 made? In other words, did all eight of you --

8 A. Yes.

14:38:40 9 Q. -- agree? Okay. Did you reach out to  
14:38:48 10 your parents?

14:38:48 11 A. No.

14:38:48 12 Q. Okay. Do you know if any of the others  
14:38:50 13 did, reach out to their parents?

14:38:52 14 A. I'm not aware.

14:38:53 15 Q. Okay. Did you discuss as a group  
14:38:59 16 whether to contact your parents?

14:39:00 17 A. We discussed that we supported each  
14:39:05 18 other in any, way, shape or form that anything  
14:39:08 19 needed to be communicated. So -- but no we never  
14:39:10 20 said --

14:39:12 21 Q. Okay. Try my question.

14:39:13 22 A. No, we did not -- sorry, can you repeat  
14:39:16 23 the question?

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14:58:45 1 **MS. NANAU:** Objection to form.

14:58:46 2 **BY MR. D'ANTONIO:**

14:58:46 3 **Q.** If you know.

14:58:47 4 **A.** I believe we were asked by

14:58:54 5 Ms. Walleshauser to prepare statements.

14:58:58 6 **Q.** Before -- before your meeting with her  
14:59:01 7 on the -- on the 11th?

14:59:04 8 **A.** This could have been -- okay. So I  
14:59:07 9 believe what this is was I was asked to kind of  
14:59:12 10 speak on behalf of us at the meeting we had with  
14:59:16 11 Ms. Walleshauser.

14:59:17 12 **Q.** Okay. All right.

14:59:17 13 **A.** And so I was thinking maybe this was  
14:59:20 14 what she had asked of me after the initial meeting,  
14:59:23 15 but I think now that I am recalling, this was kind  
14:59:28 16 of the introduction.

14:59:29 17 So I was going to basically read this to  
14:59:32 18 her. We all as a group decided that the instance  
14:59:35 19 that occurred with me and [REDACTED] in the room  
14:59:40 20 was something we wanted to lead with because we  
14:59:43 21 really wanted the school to take us seriously and  
14:59:46 22 we felt like this instance was certainly the most  
14:59:51 23 dangerous instance as students we were in with him

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15:40:37 1 **A.** Correct.

15:40:38 2 **Q.** And Professor Hogan is a professor in  
15:40:40 3 the biology department?

15:40:41 4 **A.** Yeah.

15:40:41 5 **Q.** Did you know Professor Hogan prior to  
15:40:45 6 February 21st of 2019?

15:40:46 7 **A.** I still don't know Professor Hogan.

15:40:48 8 **Q.** Okay. So you don't know her?

15:40:50 9 **A.** No.

15:40:50 10 **Q.** She writes, hi, all, the interview with  
15:41:02 11 Dr. Noonan has concluded. Dr. Noonan is on leave  
15:41:06 12 from the college at this time. He has been advised  
15:41:10 13 that any retaliation is not acceptable.

15:41:13 14 Did I read that correctly?

15:41:14 15 **A.** Yes.

15:41:14 16 **Q.** Okay. Between February 21st, 2019, and  
15:41:25 17 today's date, have you had any contact with  
15:41:30 18 Professor Noonan?

15:41:30 19 **A.** No.

15:41:31 20 **Q.** Okay. Has he attempted to contact you  
15:41:36 21 sending you e-mails, anything like that?

15:41:38 22 **A.** Not to my knowledge, no.

15:41:41 23 **Q.** Reaching out to you on social media?

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15:41:43 1           **A.**     No.

15:41:43 2           **Q.**     Are you active on social media?

15:41:45 3           **A.**     Yes.

15:41:46 4           **Q.**     Okay.

15:41:47 5           **A.**     Well, I have accounts.

15:41:49 6           **Q.**     Active is probably a relative term.

15:41:51 7           **A.**     Right.

15:41:52 8           **Q.**     So what accounts do you have, what

15:41:54 9 social media do you use?

15:41:55 10           **A.**     Primarily Instagram. I have Facebook,

15:41:59 11 TikTok, but yeah, those three.

15:42:02 12           **Q.**     Snapchat as well or no?

15:42:04 13           **A.**     No, I haven't had Snapchat for years.

15:42:07 14           **Q.**     Okay. And how about LinkedIn?

15:42:08 15           **A.**     Yeah, I have one. I have a LinkedIn.

15:42:13 16 I don't use it, but I do have one.

15:43:17 17           **MR. D'ANTONIO:** AS.

18           **The following was marked for Identification:**

19           **EXH. AS**                           **E-mail dated 2/22/19.**

15:43:32 20           **BY MR. D'ANTONIO:**

15:43:40 21           **Q.**     I'm handing you, Ms. Whelan, Exhibit AS

15:43:43 22 for identification. Take your time and look

15:43:55 23 through that. When you're ready, let me know.

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15:57:29 1 lab, if you know?

15:57:30 2 **A.** Not to my knowledge.

15:57:31 3 **Q.** Okay. Do you know whether Dr. Russell  
15:57:33 4 maintained a lab?

15:57:34 5 **A.** I'm not sure.

15:57:37 6 **Q.** Okay. I think -- and you -- I think  
15:57:40 7 you told me, but tell me -- this may just be my  
15:57:42 8 misrecollection. You didn't have much interaction  
15:57:47 9 with Dr. Russell?

15:57:48 10 **A.** No. The only interaction I had with  
15:57:56 11 him was he was my -- I'm blanking on what the term  
15:57:59 12 is -- he was my advisor.

15:58:00 13 **Q.** Okay.

15:58:00 14 **A.** So I would really just go in for  
15:58:02 15 meeting with him and we'd decide what courses I was  
15:58:04 16 going to take, but that was like the extent of our  
15:58:07 17 relationship. We didn't really have one other  
15:58:12 18 than --

15:58:12 19 **Q.** And I take it as a -- by the time you  
15:58:14 20 get to your junior year, you probably have somewhat  
15:58:17 21 less need for an academic advisor?

15:58:19 22 **A.** Yeah. I think the last time I met with  
15:58:21 23 him was my sophomore year. So --

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16:03:28 1           **THE WITNESS:** Did I work on them in the next  
16:03:30 2 academic year or did anyone?

16:03:31 3           **BY MR. D'ANTONIO:**

16:03:32 4           **Q.** Well, let's -- it sounds like you --  
16:03:33 5 the answer for you is no, right, you didn't work --

16:03:35 6           **A.** Not to my recollection.

16:03:36 7           **Q.** You did the one podcast and you were  
16:03:38 8 done?

16:03:38 9           **A.** Correct.

16:03:39 10          **Q.** And you got your A in the course?

16:03:40 11          **A.** Correct.

16:03:41 12          **Q.** Okay. The other students, do you know  
16:03:46 13 whether one or more of the Project Tiger  
16:03:48 14 participants continued to work on podcasts into the  
16:03:51 15 next academic year?

16:03:53 16          **MS. NANAU:** Objection to form. You may  
16:03:54 17 answer.

16:03:54 18          **THE WITNESS:** I'm not aware if they did.

16:03:56 19          **BY MR. D'ANTONIO:**

16:03:59 20          **Q.** Okay. Are you aware that at some point  
16:04:18 21 in 2019, students were given access -- students on  
16:04:25 22 the Project Tiger trip were given access to the  
16:04:27 23 footage taken in India?

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16:04:31 1 **A.** Yes.

16:04:31 2 **MS. NANAU:** Objection to form. Sorry.

16:04:32 3 **THE WITNESS:** That's okay. I'm aware that  
16:04:34 4 after some of the seniors from the project  
16:04:36 5 graduated, after we all got credit for doing  
16:04:40 6 podcasts for the course after the semester ended,  
16:04:45 7 we were given access to the film footage.

16:04:47 8 **BY MR. D'ANTONIO:**

16:04:48 9 **Q.** Okay. But you hadn't graduated yet,  
16:04:50 10 right?

16:04:50 11 **A.** No, I had not.

16:04:51 12 **Q.** Okay. And how many of you were juniors  
16:04:55 13 or sophomores on the Project Tiger trip?

16:04:58 14 **A.** Five.

16:05:09 15 **Q.** Okay. Who were the five?

16:05:12 16 **A.** Six.

16:05:15 17 **Q.** Who were the six?

16:05:16 18 **A.** Me, Lily Engebrecht, Cassidy Wood,  
16:05:22 19 [REDACTED] Sierra Boucher, and I'm forgetting --

16:05:29 20 [REDACTED]

16:05:30 21 **Q.** Who were the two who graduated?

16:05:32 22 **A.** [REDACTED] and [REDACTED]

16:05:36 23 **Q.** Okay. Out of the six who remained, how

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16:05:45 1 many accessed the video footage that was offered to  
16:05:50 2 you?

16:05:50 3 **MS. NANAU:** Objection to form. You may  
16:05:51 4 answer.

16:05:52 5 **BY MR. D'ANTONIO:**

16:05:53 6 **Q.** If you know.

16:05:53 7 **A.** Only the one who was qualified and  
16:05:55 8 skilled to make a video out of it. So only two of  
16:05:58 9 the students who were asked to come on the trip  
16:06:00 10 were the ones who were actually going to make the  
16:06:02 11 video footage.

16:06:03 12 **Q.** How --

16:06:03 13 **A.** The rest of us didn't have the skills  
16:06:05 14 or expertise to actually create videos.

16:06:10 15 **MR. D'ANTONIO:** I don't think you actually  
16:06:11 16 answered the question. Can we read it back?

16:06:14 17 **THE WITNESS:** But the context is important.

16:06:18 18 **MR. D'ANTONIO:** We'll get to the context in  
16:06:19 19 a minute so hold on.

16:06:20 20 (The above-requested question was then  
21 read by the reporter.)

16:06:32 22 **THE WITNESS:** One of them did.

16:06:33 23 **BY MR. D'ANTONIO:**

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16:06:33 1 Q. And that was?

16:06:34 2 A. Sierra.

16:06:35 3 Q. Okay. And I think you told me that  
16:06:38 4 that's because Sierra was the only one who had the  
16:06:41 5 skill set?

16:06:42 6 A. So she was a dual major.

16:06:44 7 Q. Okay. I understand.

16:06:45 8 A. Yeah.

16:06:45 9 Q. So I think you said none of the rest of  
16:06:48 10 you --

16:06:48 11 A. Right.

16:06:49 12 Q. -- had the skill set to be able to  
16:06:52 13 create the video, the documentary?

16:06:55 14 A. Right. To actually create a  
16:06:59 15 documentary. We -- yes. We didn't have access to  
16:07:01 16 the equipment.

16:07:02 17 Q. Okay. I understand. At some point  
16:07:05 18 Sierra had both access to the equipment and access  
16:07:08 19 to the footage, right?

16:07:09 20 A. Correct.

16:07:09 21 MS. NANAU: Objection to form.

16:07:10 22 BY MR. D'ANTONIO:

16:07:10 23 Q. Okay. And if the group wanted to

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16:20:15 1 Q. Ms. Whelan, have you ever seen the  
16:20:18 2 video footage from the Project Tiger trip at any  
16:20:24 3 time?

16:20:24 4 A. Yes.

16:20:25 5 Q. When did you see it?

16:20:27 6 A. I saw video footage from Project Tiger  
16:20:32 7 when Sierra reached out with a short clip that she  
16:20:36 8 created over that summer where she had access to  
16:20:39 9 the footage.

16:20:41 10 Q. And did she send that clip to all of  
16:20:43 11 the Project Tiger participants as far as you know?

16:20:46 12 A. I believe so.

16:20:47 13 Q. Okay. Did you graduate from Canisius  
16:20:57 14 on time?

16:20:58 15 A. Yes.

16:20:58 16 Q. Okay. Did you request any academic  
16:21:11 17 accommodations from the college on or after  
16:21:14 18 February of 2019?

16:21:15 19 A. Not to my recollection, I did not.

16:21:20 20 Q. Okay. Did you seek out any letters of  
16:21:28 21 recommendation from Canisius professors at any  
16:21:31 22 point?

16:21:31 23 A. I -- after that point?

1 STATE OF NEW YORK )

2 ss:

3 COUNTY OF ERIE )

4

5 I DO HEREBY CERTIFY as a Notary Public in and  
6 for the State of New York, that I did attend and  
7 report the foregoing deposition, which was taken  
8 down by me in a verbatim manner by means of machine  
9 shorthand. Further, that the deposition was then  
10 reduced to writing in my presence and under my  
11 direction. That the deposition was taken to be  
12 used in the foregoing entitled action. That the  
13 said deponent, before examination, was duly sworn  
14 to testify to the truth, the whole truth and  
15 nothing but the truth, relative to said action.

16

17

18

*Andrea J. Demyan*

19

\_\_\_\_\_  
ANDREA J. DEMYAN,  
Notary Public.

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